

PROCLAMATION 21-14, et seq. NOTICE LETTER TO CONTRACTORS TEMPLATE

DISCLAIMER. This template is meant to be a reference for Washington employers implementing Proclamation 21-14, et seq. The state makes no representation that reliance on this template will satisfy an employer's legal obligations or shield any employer from legal challenges. Every employment setting is unique, and you should carefully review your accommodation policies with legal counsel. In providing this template, the state is not requiring its use by private employers; rather, it is intended for Washington state agencies and is offered for general informational purposes only.

[Month Day, 2021]

[Contractor Address]

Subject: Agreement No. KXXXX

Dear Contractor:

On August 9, 2021, pursuant to the governor's emergency powers authorized in <u>RCW 43.06.220</u>, Washington Governor Jay Inslee issued <u>Proclamation 21-14 – COVID-19 Vaccination Requirement</u>, <u>which was amended on August 20, 2021</u>, by <u>Proclamation 21-14-1 – COVID-19 Vaccination Requirement</u> ("Proclamation"). Effective October 18, 2021, the Proclamation prohibits state agencies from permitting contractors to engage in work for the agency if the personnel performing the contract (including subcontractor personnel) have not been fully vaccinated against COVID-19 as set forth in the Proclamation. The only two exemptions from the vaccination requirement are if such individual is unable to be vaccinated due to a disability or the requirement conflicts with their sincerely held religious beliefs, practice, or observance (in either case, the Proclamation requires confirmation).

You are receiving this letter because your firm has a contract with <u>(AGENCY)</u> and, as part of the performance of that contract, certain of your firm's personnel (including any subcontractor personnel) are required to or likely will provide contracted goods or services in person and on-site. Therefore, as a contractor, your firm is subject to the vaccination requirements set forth in the Proclamation.

PARAGRAPH IF AGENCY WILL CONDUCT VERIFICATION

As such, to keep the above-referenced contract, you must ensure that you and your personnel (including subcontractors) who perform on-site contract activities are able to provide to (AGENCY) proof of full COVID-19 vaccination. For personnel who seek an exemption for a disability or sincerely held religious belief as set forth in the Proclamation, you are required to review and approve the request, provide a reasonable accommodation, and provide to (AGENCY) a certification for all

exemptions granted and reasonable accommodations provided. It is also your responsibility to contact any subcontractors you may have and inform them of the Proclamation requirements and that (AGENCY) will be requiring the same proof from them.

PARAGRAPH IF AGENCY ELECTS TO HAVE EMPLOYER VERIFY

As permitted by the Proclamation, (AGENCY) has elected to require you, as its contractor, to assume responsibility for verification of full COVID-19 vaccination, approving all exemptions for disability and sincerely held religious beliefs and determining any accommodations needed for such exemptions. You will be receiving a follow-up letter describing the required procedures for vaccination verification and the specific documentation to provide to (AGENCY). Please be aware that the (AGENCY) retains the right to inquire into compliance with the verification requirements at any time, to include requesting a copy of the verification plan, spot-checking with such personnel and reviewing your company's vaccination verification records.

Full vaccination is defined as two (2) weeks after a person has received the second dose in a two-dose series of a COVID-19 vaccine (e.g., Pfizer-BioNTech or Moderna) or a single-dose COVID-19 vaccine (e.g., Johnson & Johnson (J&J)/Janssen) authorized for emergency use, licensed, or otherwise approved by the FDA or listed for emergency use or otherwise approved by the World Health Organization.

The state of Washington values your firm as a contract partner to deliver needed goods or services.
Accordingly, we are hopeful that your firm will comply with the Proclamation and help the state
reduce the spread of the virus. To that end, (AGENCY) will be sending you additional information
regarding the next steps required to ensure compliance with the Proclamation. If, however, your firm
does not intend to comply with the Proclamation, please contact so we can determine next
steps, which may include starting the process to terminate the above-referenced contract or invoking
other remedies. In addition, if we do not hear from you by October 18, 2021, we will be providing
notice that your personnel may not come on site and perform the work of the contract, and that the
contract may be terminated or other remedies invoked.
If you have any questions, please contact XXXXX at@
Sincerely,